

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF YORK )

CITY OF YORK

ORDINANCE 22-681

IMPOSING A TEMPORARY MORATORIUM ON CERTAIN TYPES OF  
RESIDENTIAL SUBDIVISION /DEVELOPMENT AND INVOKING THE  
APPLICATION OF THE PENDING ORDINANCE DOCTRINE.

- WHEREAS, York City Council and Planning Commission find that a moratorium is necessary to allow the City the opportunity to research and implement needed changes to the zoning ordinance and comprehensive plan to facilitate desired growth moving forward;
- WHEREAS, York City Council and Planning Commission find that such revised ordinances/ standards would ultimately streamline and make the overall application process more understandable for all involved; and
- WHEREAS, York City Council and Planning Commission find that such a moratorium should be limited in duration and that action should be taken promptly to research and implement needed changes.

NOW, THEREFORE, BE IT ORDAINED in Council assembled on the dates hereafter set forth that York City Council does herewith impose a moratorium on the subdivision of a residentially-zoned and/or –used property into more than 5 lots as well as the usage of the R5 special exception and PUD processes and also invokes the application of the pending ordinance doctrine; furthermore, the number of lots in subdivision will be determined by the number of lots in the entire planned subdivision development (including all phases of the proposed development).

The moratorium is hereby enacted to allow the City the opportunity to address the following with the assistance of professional consultant(s) as necessary:

1. Update pertinent sections of the 2019 Comprehensive Plan to provide better direction and benchmarking regarding growth management in the City.
2. Update the City's future land-use map to provide better guidance regarding the proper zoning/usage of property in the City as well as around the perimeter of the City.
3. Conduct a housing survey as prescribed in the 2019 Comprehensive Plan to determine the proper number and mix of residential housing types in York as well as the desired population growth rate for the city.

4. Create or revise distinct residential and mixed-use zoning districts with by-right zoning standards to include density, parking, housing variety, and other specifications with emphasis on single-family detached, single-family attached, and multi-family residential projects.

The provisions of this ordinance shall be effective immediately upon adoption and shall remain in effect for 180 calendar days from the effective date of second reading approval. York City Council may extend the moratorium for a period of an additional 90 calendar days upon finding that the City is making reasonable, prompt progress in carrying out needed action items set forth in this ordinance and that additional time is needed to adequately complete the action plan.

York City Council hereby invokes the pending ordinance doctrine recognized under South Carolina law, effective immediately upon first reading approval. Applications for the type of subdivision/development specified in this ordinance shall not be accepted by the City of York while York City Council considers whether to impose a moratorium and during the duration of a moratorium.

---

MICHAEL D. FUESSER, MAYOR

ATTEST:

---

Acting Municipal Clerk

First Reading:

August 15, 2022

Public Hearing:

\_\_\_\_\_

Second Reading:

\_\_\_\_\_